

Filed for intro on 02/19/2003
SENATE BILL 496 By
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HOUSE BILL 931
By Hagood

AN ACT to amend Tennessee Code Annotated, Title 45, Chapter 10, relative to disclosures by financial institutions.

WHEREAS, a financial institution may disclose financial records relating to a customer only under certain limited circumstances as defined in the Financial Records Privacy Act; and

WHEREAS, there is an interest to facilitate the sharing of information between financial institutions and appropriate law enforcement officials only on a voluntary basis without exposing any financial institution to liability for making such disclosures; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 45-10-104, is amended by deleting subsection (b) in its entirety and substituting the following language:

(b) Nothing in this chapter shall preclude any financial institution, or any officer, employee, or agent of a financial institution, from notifying a government authority that such institution, or officer, employee, or agent has information which the financial institution or its representative believes may be relevant to a possible violation of any statute or regulation. Such information may include the name or other identifying or descriptive information concerning any individual, corporation, or account involved in any suspected illegal activity, and a description of such activity. Such information may be disclosed notwithstanding any law or regulation of this state to the contrary. Nothing in

this section shall create a duty to notify government authority, nor to provide additional information after notice except in response to a lawful subpoena meeting the requirements of this section. Any financial institution, or officer, employee, or agent thereof making a disclosure of information pursuant to this subsection, shall not be liable to the customer under any law or regulation of this state or political subdivision thereof, for disclosure or for any failure to notify the customer of such disclosure.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.